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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,
9 Plaintiff,
10 vs.
11 JAN ROUVEN FUECHTENER,
12 Defendant.

CASE NO.: 2:16-CR-100-GMN-CWH
**STIPULATION TO CONTINUE
SENTENCING HEARING**

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13 IT IS HEREBY STIPULATED AND AGREED, by and between Elham Roohani and Lisa
14 C. Cartier-Giroux, Assistant United States Attorneys, counsel for the United States of America, and
15 Karen A. Connolly, counsel for Defendant JAN ROUVEN FUECHTENER, that the sentencing
16 hearing currently scheduled for June 30, 2017, at the hour of 10:30 a.m., be vacated and continued
17 for approximately 30 days, but not between July 10-14, July 28-August 10, or August 24-25.

18 This Stipulation is entered into for the following reasons:

19 1. The parties agree to the continuance for the following reasons: Defendant is filing
20 a motion to withdraw the guilty plea agreement; on June 2, 2017 a *Report &*
Recommendation was filed by the magistrate recommending that the sentencing hearing be
21 continued to allow for sufficient time for briefing, an evidentiary hearing, and a subsequent
22 report and recommendation on the ownership and control of the \$975,300 proceeds from the
23 sale of a residence at 7080 Donald Nelson Avenue, Las Vegas, NV 89131. The hearing has
24 been set for July 6, 2017.

25 2. The additional time requested herein is not sought for purposes of delay.

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28 Stip to Continue Sentencing (3rd).wpd

1 3. Additionally, denial of this request for continuance could result in a miscarriage of
2 justice.

3 4. This is the third request to continue the sentencing date.

4 DATED this 16th day of June, 2017.

5 KAREN A. CONNOLLY, LTD.

DANIEL G. BOGDEN
United States of America

/s/ Karen A. Connolly

KAREN A. CONNOLLY
Counsel for Jan Rouven Fuechtener

/s/ Elham Roohani
ELHAM ROOHANI
LISA C. CARTIER-GIROUX
Assistant United States Attorneys
Counsel for Plaintiff

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
vs.
JAN ROUVEN FUECHTENER,
Defendant.

CASE NO.: 2:16-cr-100-GMN-CWH

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

Based on the Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties agree to the continuance for the following reasons: Defendant is filing a motion to withdraw the plea agreement; on June 2, 2017 a *Report & Recommendation* was filed by the magistrate recommending that the sentencing hearing be continued to allow for sufficient time for briefing, an evidentiary hearing, and a subsequent report and recommendation on the ownership and control of the \$975,300 proceeds from the sale of a residence at 7080 Donald Nelson Avenue, Las Vegas, NV 89131. The hearing has been set for July 6, 2017.
2. The additional time requested herein is not sought for purposes of delay.
3. Additionally, denial of this request for continuance could result in a miscarriage of justice.
4. This is the third request to continue the sentencing date.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the sentencing.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking

Stip to Continue Sentencing (3rd).wpd

1 into account the exercise of due diligence.

2 The continuance sought herein is excusable under the Speedy Trial Act, title 18, United States
3 Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section
4 3161(h)(7)(B(i), (iv).

5 **ORDER**

6 IT IS THEREFORE ORDERED that the Sentencing Hearing currently scheduled for June
7 30, 2017, at the hour of 10:30 a.m., be vacated and set continued to _____ at
8 the hour of _____.m.

9 DATED this _____ day of June 2017.

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11 UNITED STATES DISTRICT JUDGE
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